

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

**Catherine Fantauzzo**  
1342 Emerson Street, Unit D  
Rochester, NY 14606

Plaintiff,

v.

**Tristan Sperry**  
8233 Carlton Street  
Norfolk, VA 23518

And

**Klara Sperry-Dahl**  
121 Emily Lane  
Brandon, FL 33510

Defendants.

\* \* \* \* \*

**COMPLAINT**

**NOW COMES**, Plaintiff **Catherine Fantauzzo**, (hereinafter “**Fantauzzo**”), by and through her attorneys, Curtis Daniel Cannon, Esq., and Goldberg Finnegan, and sues Defendants **Tristan Sperry** (hereinafter “**Sperry**”) and **Klara Sperry-Dahl** (hereinafter “**Dahl**”) and for reasons states as follows:

**Count I - (Negligence)**

1. Jurisdiction of this court is founded on 28 U.S.C. §1332.
2. Plaintiff **Fantauzzo** is a resident of New York.
3. Defendant **Sperry** is a resident of Virginia and Defendant **Dahl** is a resident of Florida.
4. On or about January 2, 2019 at approximately 6:00 p.m., Plaintiff **Fantauzzo** was operating a vehicle on Interstate 64 East near Northampton Blvd., Norfolk City, Virginia.
5. At the aforementioned time and place, Defendant **Sperry** was operating a vehicle owned, leased, or otherwise controlled by Defendant **Dahl** and within the course and scope of his

employment, permission, and/or agency of Defendant **Dahl**. At the same time and place stated above, Defendant **Sperry** negligently, suddenly and without any warning caused his vehicle to strike the rear portion of the Plaintiff's vehicle.

6. Defendant **Sperry** owed a duty of care to the Plaintiff to operate his vehicle in a proper fashion and in accordance with the laws, rules, and regulations then and there in full force and effect, and breached this duty of care by failing to operate the vehicle in a safe and proper manner for that among other acts and omissions:

- A. Operated his motor vehicle without due care for other vehicles lawfully upon the highway;
- B. Failed to keep a proper lookout;
- C. Failed to maintain proper and adequate control over his motor vehicle;
- D. Failed to observe due care and precaution for the safety of the other vehicle and their occupants;
- E. Failed to avoid an accident when it became apparent or with the exercise of reason should have become apparent to the said Defendant operator by continuing the same course and speed an accident would occur;
- F. Failed to reduce speed to avoid a collision;
- G. Failed to follow at a proper and safe distance;
- H. Failed to operate his vehicle in accordance with the laws, rules, and regulations then and there in full force and effect;
- I. And in other respect was negligent in the operation of her motor vehicle considering the conditions then and there existing.

7. Defendant **Sperry's** negligence proximately caused Plaintiff **Fantauzzo** to suffer severe, painful and permanent injuries about her head, body and limbs and has caused and will cause into the future Plaintiff **Fantauzzo** physical pain and mental anguish, loss of wages and loss of opportunity. That all the Plaintiff's losses, past, present and prospective were, are and will be due solely and by reason of the negligence of Defendant **Sperry**, without any negligence of the Plaintiff **Fantauzzo** contributing thereto.

8. At all times relevant hereto, Defendant **Sperry** was operating his vehicle with permission of, and as the employee, agent and/or servant of, Defendant **Dahl**.

9. All conditions precedent for maintaining this action have been satisfied.

10. Plaintiff demands a jury trial on all issues presented herein.

**WHEREFORE**, Plaintiff **Catherine Fantauzzo** demands judgment against Defendants **Dahl**, and **Sperry**, jointly and severally, in the amount of One Million Dollars (\$1,000,000.00) in compensatory damages, interest and costs.

Respectfully Submitted,

/S/ \_\_\_\_\_  
Goldberg Finnegan  
Curtis Daniel Cannon, Esq. #73711  
8401 Colesville Road, #630  
Silver Spring, MD 20910  
(301) 589-2999 (Phone)  
(301) 589-2644 (Fax)  
ccannon@goldbergfinnegan.com

**JURY DEMAND**

The plaintiff demands a trial by jury on all issues contained herein.

/S/ \_\_\_\_\_  
Curtis Daniel Cannon, Esq. #73711